

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JADA WALKER,**

Plaintiff,

vs.

**CITY OF AKRON, et al.,**

Defendants.

)

) CASE NO.: 5:23-cv-01205

)

) JUDGE JOHN R. ADAMS

)

) **REPORT OF PARTIES' PLANNING**

) **MEETING UNDER FED. R. CIV. P. 26(F)**

) **AND L.R. 16.3(B)**

)

1. Pursuant to Fed. R. Civ. P. 26(f) and L.R. 16.3(b), a meeting was held on December 12, 2023, and was attended by Kenneth P. Abbarno and Peter C. Soldato (counsel for Plaintiff Jada Walker) and John T. McClandrich, Michael J. Defibaugh, and John C. Reese (counsel for Defendants City of Akron, Daniel Horrigan, Stephen Mylett, Daniel Marx, Michael Pasternak, Vincent Tersigni, Michael Orrand, Todd Sinsley, and Officer-Shooter Nos. 1-8).
2. The parties exchanged the initial disclosures required by Rule 26(a)(1) on December 22, 2023.
3. The parties recommend the following discovery track: Complex.
4. This case is not suitable for alternative dispute resolution at this time.
5. The parties do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).
6. **Recommended Discovery Plan:**
  - a. ***Subjects on which discovery is to be sought, the nature and extent of discovery and any potential problems:*** Plaintiff Walker alleges Excessive Force, Supervisory Liability, and Municipal Liability (*Monell*) against Defendants under 42 U.S.C. § 1983. Defendants assert various defenses consistent with their Answer. Discovery will consist of written discovery and depositions of all parties and the witnesses to the alleged incident, along with production of relevant documents, reports, training materials, and audio/video recordings. Defendants will also conduct written discovery and depositions as to alleged damages. Experts may be required on the issues of liability and/or damages.

- b. ***Proposed Non-Expert Discovery Deadline:*** October 23, 2024.
- 7. Recommended dispositive motion date: June 13, 2025.
- 8. The pleadings shall be amended without leave of Court on or before: April 26, 2024.
- 11. Recommended date for a Status Conference or Settlement Conference: August 9, 2024.
- 12. Other matters for the attention of the Court:
  - a. The Parties suggest other discovery-related deadlines as follows:
    - i. ***Plaintiff's Expert Disclosure Deadline:*** December 16, 2024
    - ii. ***Defendants' Expert Disclosure Deadline:*** January 30, 2025
    - iii. ***Expert Discovery Deadline:*** March 28, 2025
  - b. On June 16, 2023, Plaintiff filed her Motion For Leave To Identify Defendants Officer-Shooters Nos. 1-8 Using Pseudonyms (Doc. No. 2.). This Motion has not yet been ruled upon, but Defendants do not object to the ongoing use of pseudonyms for Officer-Shooters Nos. 1-8. Defendants waive any objections to the form or content of the complaint as it pertains to the fact that Officer-Shooters Nos. 1-8 are identified via pseudonym.
  - c. The Parties contemplate the possible filing of a protective order related to medical records and possibly tax records.
  - d. The parties will cooperate and expect to reach agreement about any production of ESI and any inadvertent production of attorney client privileged materials.

DATED: January 2, 2024

Respectfully submitted,

s/ Peter C. Soldato

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\*Pro Hac Vice application pending

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Lt. Daniel Marx, Sgt. Michael Pasternak, Sgt.  
Vincent Tersigni, Det. Sgt. Michael Orrand, Sgt.  
Todd Sinsley, and Officer-Shooter Nos. 1-8*

### **CERTIFICATE OF SERVICE**

I hereby certify that on January 2, 2023, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

*s/ Peter C. Soldato*

PETER C. SOLDATO